



**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Douglas Barry et al.
Serial No : 10/626,463
Filed : July 24, 2003
Title : Conveyor Track Drive
Group No. : 3676

RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed September 10, 2004, enclosed please find an executed oath signed by the applicants in compliance with 37 CFR 1.63, a copy of the drawings for this application, and a copy of the Notice.

While the applicant was a small entity at the time of filing, the application has been assigned to a large entity, and therefore large entity status is now claimed. A credit card payment form PTO-2038 in the amount of \$790.00 is enclosed to cover the basic filing fee for a large entity.

Respectfully submitted,

GEORGE R. NIMMER
Registration No. 21,004
Attorney of Record
PO Box 252
Omaha, NE 68101-0252



CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that the following documents, with respect to Ser. No. 10/626,463 to Douglas are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Office of Petitions, Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450:

- (1) Response to Notice of Incomplete Application;
- (2) Copy of Notice;
- (3) Four sheets of drawings;
- (4) Original Declaration signed by all inventors;
- (5) Credit Card Payment form in the amount of \$790.00 for Basic filing fee for large entity;

on this 10th of November 2004.


Mark Frederiksen



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

IFW✓

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/626,463	07/24/2003	Douglas Barry	

George R. Nimmer
PO Box 252
Omaha, NE 68101-0252

CONFIRMATION NO. 1322

FORMALITIES LETTER



OC000000013780481

Date Mailed: 09/10/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*
- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$385** for a Small Entity

- | | |
|-------------------------------------|--------------------------------------|
| • \$385 Statutory basic filing fee. | 11/16/2004 WASFAW1 00000012 10626463 |
| | 01 FC:1001 790.00 OP |

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents

P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

T. TV

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE